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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,746	02/19/2004	Tetsuya Kitamura	04329.3245	1796

22852 7590 07/09/2007
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

DUNN, MISHAWN N

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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07/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/780,746	Applicant(s) KITAMURA ET AL.	
	Examiner Mishawn N. Dunn	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/04, 9/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5, 6, 8-10, 12-14, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Buzuloiu et al. (US Pub. No. 2002/0159630).

3. Consider claim 1. Buzuloiu et al. teaches a data reproducing apparatus comprising: a buffer memory which stores digital data of a reproduction object (fig. 1, 10); a storage unit which stores data for determining to determining a reproduction prohibition object data pattern (fig. 1, 26); a determining unit which uses the data for determining to determine whether or not the digital data stored in the buffer memory includes the reproduction prohibition object data pattern; and a control unit which processes data corresponding to the reproduction prohibition object data pattern in accordance with a determining result of the determining unit and executes reproduction processing of the digital data except for the reproduction prohibition object data pattern (pg. 2, paras. 0031-0033; fig. 1).

4. Consider claim 2. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, wherein the data for determining includes a data pattern for

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determining to identify the reproduction prohibition object data pattern, and the determining unit compares an object data pattern prepared from the digital data with the data pattern for determining, and determines that the object data pattern is the reproduction prohibition object data pattern, when the object data pattern is identical or similar to the data pattern for determining (pg. 2, paras. 0032-0033; figs. 1 and 2).

5. Consider claim 3. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, further comprising: a unit which prepares an object data pattern from the digital data, wherein the determining unit compares the object data pattern with the data pattern for determining included in the data for determining, and determines that the object data pattern is the reproduction prohibition object data pattern, when the object data pattern is identical or similar to the data pattern for determining (pg. 2, paras. 0032-0033; figs. 1 and 2).

6. Consider claim 5. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, further comprising: a unit which prepares an object data pattern which is a shape image data pattern constituted of contours from the digital data, wherein the storage unit stores the data for determining including a data pattern for determining to identify an image data pattern as the reproduction prohibition object data pattern, and the determining unit compares the object data pattern with the data pattern for determining, and determines that the object data pattern is the reproduction prohibition object data pattern, when the object data pattern is identical or similar to the data pattern for determining (pg. 2, para. 0033; fig. 1).

7. Consider claim 6. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, wherein the control unit executes processing to remove data corresponding to the reproduction prohibition object data pattern from the digital data (pg. 6, para. 0057).

8. Consider claim 8. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, further comprising: a unit which detects a candidate data pattern constituting a candidate of a reproduction prohibition object including some of reproduction prohibition conditions from the digital data, wherein the determining unit determines whether or not the candidate data pattern is the reproduction prohibition object data pattern based on the reproduction prohibition conditions included in the data for determining (fig. 4, 133).

9. Consider claim 9. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, further comprising: a unit which detects a candidate data pattern constituting a candidate of a reproduction prohibition object including some of reproduction prohibition conditions from the digital data, wherein the determining unit determines whether or not the candidate data pattern is identical or similar to the reproduction prohibition object data pattern set beforehand based on the reproduction prohibition conditions included in the data for determining (fig. 1).

10. Consider claim 10. Buzuloiu et al. teaches the data reproducing apparatus according to claim 1, further comprising: a unit which converts the digital data reproduced/processed by the control unit to a reproducing signal to reproduce/output the signal on a display screen of a display device (fig. 1, 36).

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11. Consider claim 13. Buzuloiu et al. teaches ~~/~~ method according to claim 12, wherein the preparing comprises: preparing the object data pattern which is a shape image data pattern constituted of contours from the digital data (pgs. 2-3, para. 0034).

12. Claims 12, 14, and 16 are rejected using similar reasoning as the corresponding claims above.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant Buzuloiu et al. (US Pub. No. 2002/0159630) in view of Guimareas et al. ("A Method for Cut Detection Based on Visual Rhythm").

16. Consider claim 4. Buzuloiu et al. teaches all the claimed limitations as stated above, except wherein the storage unit stores the data for determining capable of identifying any of an image data pattern, a character string data pattern, and a pattern for detection of flash video as the reproduction prohibition object data pattern.

However, Guimareas et al. discloses a storage unit stores the data for determining capable of identifying any of an image data pattern, a character string data pattern, and a pattern for detection of flash video as the reproduction prohibition object data pattern (pg. 300, section 5 – pg. 301, section 5.1).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to store the data for determining capable of identifying any of an image data pattern, a character string data pattern, and a pattern for detection of flash video as the reproduction prohibition object data pattern, in order to be able to better define the dissimilarity measure.

17. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buzuloiu et al. (US Pub. No. 2002/0159630) in view of Ford (US Pat. No. 6,519,770).

18. Consider claim 7. Buzuloiu et al. teaches all the claimed limitations as stated above, except wherein the control unit executes processing to change data corresponding to the reproduction prohibition object data pattern to another data pattern.

However, Ford teaches a control unit executes processing to change data corresponding to the reproduction prohibition object data pattern to another data pattern (abstract, col. 4, lines 14-24).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to change data corresponding to the reproduction prohibition object data pattern to another data pattern, in order to selectively filter out potentially objectionable events.

19. Claim 15 is rejected using similar reasoning as the corresponding claim above.

20. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buzuloiu et al. (US Pub. No. 2002/0159630) in view of Official Notice.

21. Consider claim 11. Buzuloiu et al. teaches all the claimed limitations as stated above, except a disk drive in which the digital data input from the outside is stored.

The examiner takes official notice that it is well known in the art to provide a disk drive to store data input from the outside, in order to give the user the ability to read from and write to a disk.

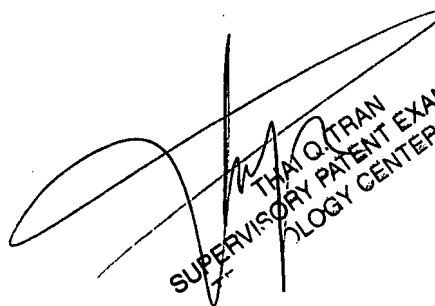
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mishawn Dunn
June 24, 2007



THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
BIOLOGY CENTER 2600